

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

FILED
03 DEC 30 PM 12:11
U.S. DISTRICT COURT
N.D. OF ALABAMA

UNITED STATES OF AMERICA

v.

ERIC ROBERT RUDOLPH,

Defendant

CRIMINAL ACTION

NO. CR-00-S-422-S

ENTERED

JAN - 7 2004

PREVIOUS MOTION DEEMED
WITHDRAWN.

UNITED STATES' WITHDRAWAL OF ITS MOTION FOR ISSUANCE OF
RULE 17(c) SUBPOENA

Comes now the United States of America, by and through its counsel, Alice H. Martin, United States Attorney for the Northern District of Alabama, and Michael W. Whisonant, Assistant United States Attorney, and withdraws its Motion for Issuance of Rule 17(c) Subpoena as follows:

When the United States advised during the October 15, 2003, status conference that it intended to review the recordings of Rudolph's telephone conversations at the Jefferson County Jail, the government's intent was not to ask the Court's permission to listen to the recordings. Rather, the government wished to afford notice to the Court and Defendant of the government's purpose in reviewing the recordings. During the status conference, however, Defendant argued that the United States